

ARTICLE APPEARED
ON PAGE 30-34NEWSWEEK
30 January 1978**THE FBI:
'Straight Arrow'**

During a judicial conference in England last summer, Attorney General Griffin Bell was chatting with William H. Webster, a Federal appeals court judge in St. Louis. Bell, who was about to nominate Judge Frank Johnson as director of the FBI, told Webster that he had almost called him earlier to ask whether he was interested in the job. "What would you have done?" Bell asked. "I don't know," replied Webster. "I never thought of myself in that role." After Johnson had withdrawn his name because of ill health, Bell finally *did* call Webster, and last week the 53-year-old judge, a Republican and a Nixon appointee, immediately accepted his offer.

If he is confirmed by the Senate, Webster will become the FBI's third permanent director, succeeding Clarence Kelley, who is scheduled to retire Feb. 15. Webster lacks administrative experience and, like J. Edgar Hoover, has never had street training in law enforcement. But he offers what the FBI, shaken

by illegal wiretaps, break-ins and other abuses, needs most at the moment: he is a respected judge with a reputation for probity, concern for individual rights and a moderate approach to law-and-order issues. A Christian Scientist who neither smokes nor drinks, Webster is a serious student of the law. Legal scholars generally praise his decisions, and he has seldom been reversed. "I think of myself as operating from a position of restraint, but being ready to make any judicial actions necessary to achieve the ends of justice," he says. "When you fashion a remedy, you ought to do as much as is necessary. But not more than is required to achieve a just end."

'High Reputations': Bell personally recruited Webster, using what he called "the Bell system"—relying on friends with "high reputations" to recommend candidates to him. The Bell system generated seventeen names, a list that was later whittled to ten and, with the help of Carter, to two: Webster and U.S. District Judge Frank McGarr of Chicago. Bell, apparently made no recommendations to Carter. The President interviewed each of them two weeks ago, and early last

week he told Bell to offer Webster the job. Says Wade McCree, the U.S. Solicitor General who had originally recommended Webster to Bell: "I have a high regard for his intellectual qualities. He's a real straight arrow when it comes to integrity."

Webster, the son of a businessman from the affluent St. Louis suburb of Webster Groves, attended Amherst College (one of his classmates was CIA director Stansfield Turner) but interrupted his education to join the Navy during World War II. After graduation in 1947, he received a law degree from Washington University in St. Louis, then was recalled to the Navy during the Korean War. While serving on a tanker, Lieutenant Webster was asked to defend a sailor accused of theft. When he learned that the sailor had not been advised of his right to counsel, Webster told him to remain silent, advice that prompted his commanding officer to send an angry message to headquarters: "Due to Lt. Webster's interference, unable to obtain confession." But after an official inquiry, Webster was commended for his action and his procedure of advising accused men of their right to counsel was included in the Uniform Code of Military Justice.

Debutante Ball: Webster has been criticized for belonging to several all-white clubs, including the Veiled Prophets Society, a male, Protestant organization of 1,000 that sponsors a yearly debutante ball and parade (the eldest of Webster's three children made her debut there in 1972). Critics say the society is racist, but Webster's membership doesn't alarm some prominent St. Louis blacks. "We have no basis for feeling he is insensitive or has feelings that would in any way suggest that he's prejudiced," says Margaret Bush Wilson, board chairman of the NAACP. "He's great."

Webster has sponsored resolutions committing two St. Louis clubs to accept members without regard to race, religion or ethnic background. And he won the respect of blacks for his work with the St. Louis Big Brother program, in which he has been active for many years. His legal opinions indicate a fair-minded approach to individual rights. Last year, for example, when the University of Missouri refused to recognize a campus gay organization, and a district court upheld the decision, Webster's court overruled. "I have no doubt that the ancient halls of higher learning... will survive even the most offensive verbal assaults upon traditional moral values," Webster wrote in his opinion. "Solutions to tough problems are not found in the repression of ideas." With a reputation for fairness and honesty, Webster seems likely to win quick approval from the Senate.

—SUSAN FRAKER with SYLVESTER MONROE in Chicago and
DIANE CAMPER in Washington